

Signs along
Roads

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

In the Matter of Amending the Columbia County)
Zoning Ordinance, Section 1300, Adopting New)
Sign Regulations and Amending Existing Sign) ORDINANCE NO. 2002-02
Regulations)

The Board of County Commissioners for Columbia County, Oregon, ordains as follows:

SECTION 1. TITLE.

This Ordinance shall be known as Ordinance No. 2002-02.

SECTION 2. AUTHORITY.

This Ordinance is adopted pursuant to ORS 203.035, 215.050, 215.223, 215.503, 197.610, and 197.615.

SECTION 3. PURPOSE.

The purpose of this Ordinance is to amend the Columbia County Zoning Ordinance Section 1300, Signs, to 1) prohibit new signs over 200 square feet in size; 2) regulate total sign area by parcel proportionate to building frontage; 3) make sign regulations in commercial and industrial zones content-neutral; 4) add sign illumination standards; and 5) eliminate site design review requirements for signs under 100 square feet in size.

SECTION 4. FINDINGS AND CONCLUSIONS

The Board of County Commissioners adopts the findings of fact and conclusions of law as set forth in the Staff Report to the Board of County Commissioners dated April 11, 2002, which is attached hereto as Attachment A, and is incorporated herein by this reference.

SECTION 5 AMENDMENT AND AUTHORIZATION.

Columbia County Zoning Ordinance Section 1300 is hereby amended as follows (additions are in bold, deletions are stricken):

Section 1300 SIGNS

1301 Use: No sign may be established, altered, or expanded hereafter in any zoning district in Columbia County, except in accordance with the sign provisions outlined in this Section. The sign provisions ~~are not a district but~~ apply to signs established in conjunction with any ~~residential, commercial, or industrial~~ use in the County. ~~These provisions also regulate the placement of billboards or any other off-site advertising sign within the county.~~

1302 General Provisions:

- .1 Design Review: **In addition to complying with the standards in this Section, the size, design, and color, lighting, and location of commercial and industrial signs and supporting structures for commercial industrial or off-site advertising signs of signs 100 square feet or larger in size shall be compatible with the architectural design and color of existing and proposed buildings on the site as determined by during site design review under according to the provisions of Section 1550 of this Ordinance.**

- .2 Setbacks:
 - A. All signs shall be situated in a manner so as not to adversely affect safety, corner vision, or other similar conditions **and shall not overhang or encroach upon public rights of way.** ~~Unless otherwise specified, all signs shall observe the yard setback requirements of the districts in which they are located.~~

 - B. **Unless otherwise specified, all signs in residential zoning districts shall observe the yard setback requirements of the zoning district in which they are located.**

 - C. **No setbacks from property lines shall be required for signs in non-residential zoning districts except that in all zoning districts, setbacks shall be required at corners as may be necessary to provide adequate corner vision or in cases where a sign is placed adjacent to a street, as provided is 1302.2(D), below.**

 - D. **Setbacks shall be required which comply with setback requirements of the abutting residential zoning district when a sign is placed on a parcel abutting a street (except Highway 30), which separates a non-residential parcel from a residential parcel or when a sign is placed on a property line separating a non-residential parcel from a residential parcel.**

- .3 Visual Obstructions-Blanketing: **No sign shall be situated in a manner which results in the blanketing complete visual obstruction of an existing sign.**

- .4 Illuminated Signs: ~~Signs shall be non-flashing and non-revolving.~~ **Artificially illuminated signs, or lights used to indirectly illuminate signs, shall be placed, shielded, or deflected so as not to shine into residential dwelling units or structures. The light intensity of an illuminated sign**

shall not exceed the ~~accepted~~ following standards: ~~of the sign industry, as provided by the Oregon Electric Sign Association~~

- A. **No exposed reflective type bulb, par spot or incandescent lamp, which exceeds twenty-five (25) Watts, shall be exposed to direct view from a public street or highway, but may be used for indirect light illumination of the display surface of a sign.**
- B. **When neon tubing is employed on the exterior or interior of a sign, the capacity of such tubing shall not exceed three hundred (300) milliamperes rating for white tubing or one hundred (100) milliamperes rating for any colored tubing.**
- C. **When fluorescent tubes are used for the interior illumination of a sign, such illumination shall not exceed:**
 - 1) **Within Residential Zoning Districts: Illumination equivalent to four hundred twenty-five (425) milliamperes rating tubing behind a Plexiglas face with tubes spaced at least seven (7) inches apart, center to center.**
 - 2) **Within Non-Residential Zoning Districts: Illumination equivalent to eight hundred (800) milliamperes rating tubing behind a Plexiglas face spaced at least nine (9) inches apart, center to center.**

.5 **Pre-existing Non-conforming Signs:** Signs and sign structures not conforming to the requirements of this ordinance shall be subject to the provisions of Section 1506, for **Non-Conforming Uses**, except that: ~~the copy area of a pre-existing sign may be changed, subject to staff review of the design, color, and lighting of the sign and supporting structure.~~

- A. **Copy:** The Copy of a legal non-conforming sign may be changed. For purposes of this Section, "Copy" is defined as text or images on the face of the sign.
- B. **Discontinuance:** A non-conforming sign shall be considered to be abandoned and discontinued if there is no Copy on the display surface for a period of six (6) consecutive months. If the discontinuance is for a period greater than six (6) consecutive months, the building or land on which is the sign is located shall thereafter be occupied and used only for a conforming use.
- C. **Non-conforming Signs of Size Greater than 200 Square Feet:**

Signs with a sign area of size greater than 200 square feet are prohibited except that legal non-conforming signs greater than 200 square feet which are documented in "A Photo Inventory of Billboard Signs Existing Within Unincorporated Columbia County," are permitted to the extent that they comply with this Section, and Section 1506, Non-conforming Uses.

D. Notwithstanding Section 1506.9 and 1506.5, a legal non-conforming sign may not be expanded.

.6 Sign Clearance: A minimum of 8 feet above sidewalks and 15 feet above driveways shall be provided under free-standing signs.

1313 Commercial and Industrial Districts:

.1 Signs Permitted: Signs shall be permitted in eCommercial and Industrial zoning districts subject to the provisions of this Section, except when to the extent such provisions conflict with the specific development standards for signs in the subject underlying zoning district.

.2 Limit on Sign Area: Except as otherwise permitted in Section 1302.5, no sign having a sign area greater than 200 square feet shall be permitted.

.3 Aggregate Sign Area Per Parcel.

A. Except as otherwise provided herein, the maximum permitted area of all signs, including the total area of each face of a double-faced sign, or the sole face of a single faced sign for each parcel, is as follows: 40 square feet; plus

1) For the first fifty (50) linear feet of building frontage on a public road, an additional square foot of sign area per linear foot of building frontage on such public road; plus

2) For the next two hundred and twenty (220) linear feet of building frontage on a public road, an additional one-half (½) square foot of sign area per linear foot of building frontage on such public road.

- B. For the purpose of this section, "building frontage" means the linear length of a building facing a public right of way or the linear length of the public right of way facing a building, whichever is smaller.
- C. The area of any legal non-conforming sign which is greater than 200 square feet in size shall not be included in the calculation of maximum sign area per parcel under this Section.
- D. The area of any temporary sign permitted under 1313.7 shall not be included in the calculation of maximum sign area per parcel under this section.

2.4 **Free Standing Signs:** Free standing signs, including or ground mounted signs, must comply with the following additional standards: ~~oriented to off-site circulation identifying the premises, or advertising products or services pertaining only to the use conducted on the premises, shall be allowed subject to the following conditions:~~

- A. **Height:** Free standing signs shall not exceed 20 feet in height above grade or above road grade, whichever is higher.
- B. **Total Area:** ~~Shall not exceed a maximum area of 40 square feet, as viewed from a single direction.~~ The total sign area of all freestanding signs allowed by this section plus the area of all other allowed signs on the parcel shall not exceed the aggregate sign limits for the parcel as provided in Section 1313.3.
- C. **Center/Complex Signs:** Only one such freestanding sign shall be allowed for a development or complex center/complex even when there is more than one tax lot or parcel in or owner ownership of included in the development the center/complex, unless an one additional sign is needed to provide identification of the development at a major public access points on a 2 different roads. No more than two freestanding signs will be allowed. For purposes of this Section, "Center/Complex" means any number of businesses greater than one which share the same site using common points of ingress and egress and/or common parking facilities. Legal non-conforming signs shall not be included in the calculation of the number of freestanding signs per parcel under this Section.
- D. ~~A sign less than 28 square feet in size may observe 1/2 of the yard setback requirements of the district in which it is located.~~

~~E. Signs larger than 28 square feet in size must observe the setback requirements of the district in which it is located.~~

F D. **Illumination:** Free standing signs ~~M~~may be illuminated subject to subsection 1302.4.

~~3.5~~ **Building Mounted Signs:** Signs mounted or painted on buildings ~~Building signs identifying the premises, or advertising products or services pertaining only to the use conducted on the premises, shall be~~ allowed subject to **must comply with** the following **additional** conditions standards:

A. **Area:** ~~The size and design of on-building signs shall be compatible with the scale and architecture of the building. The total sign area of all building mounted signs allowed pursuant to this section in addition to the area of all other allowed signs per parcel shall not exceed the aggregate sign limits for the parcel as provided in section 1313.3.~~

B. **Height.** ~~Building mounted signs shall not extend more than four (4) feet above the roof of the structure containing the use building on which it is mounted.~~

C. **Illumination:** ~~May be illuminated subject to subsection 1302.4~~ **Building mounted signs may** be illuminated subject to the illumination standards set forth in subsection 1302.4.

~~4.6~~ **Traffic Control/Directional Signs:** On-site traffic control and **directional** identification signs shall be required as **may be** necessary, commensurate with the size and use of the site, **in conjunction with site design review, if such review is required.** ~~Developments and Centers/ complexes combining several uses, including mixed-use development, shall provide tenant directories, or building identification and directional signing oriented toward on-site vehicle and pedestrian circulation. The size, location, and design of these signs shall be included as part of the overall site design and review of the development.~~

~~5.7~~ **Temporary Signs.** Signs of a temporary nature **may be allowed provided they meet the following standards.** For purposes of this section, **“temporary” shall mean not to exceed one year.** ~~advertising the sale, rental, lease of premises, or identifying the developer, lease agent or builder, may be allowed subject to the following limitations:~~

A. The temporary sign area ~~S~~shall not exceed 60 square feet.

~~B. Shall pertain only to property upon which they are located.~~

~~C. B.~~ **The temporary sign shall observe the setback provisions under subsection 1313.2(D & E): 1302.2.**

~~D. C.~~ **Only one such temporary sign shall be permitted on the premises per parcel.**

~~E. D.~~ **The temporary sign shall not be artificially illuminated.**

~~F. E.~~ **Such-The temporary sign shall be removed from the premises after the premises are sold, rented, or lease. the one year temporary sign period has expired.**

~~.6~~ ~~Off-premise signs shall be subject to Section 1314.~~

.8 Animated or Video Signs Prohibited: No sign shall contain, include, or be illuminated by any flashing, intermittent, revolving, rotating, or moving light or move or have any animated or moving parts except that this Section shall not apply to:

A. Traffic control signs.

B. Signs, displays, devices, or portions thereof with lights that may be changed at intermittent intervals by electronic process or remote control. The maximum size of the display area for such changing numbers or letters is ten (10) square feet.

~~1314 Off-Premise Signs: A sign identifying a single development or complex may include signs identifying the premises, products, or services associated with uses located on separate tax lots within the development or complex, subject to the applicable provisions of Section 1300.~~

~~1315 New Off-Site Advertising Signs or Billboards: New off-site advertising signs may be erected only on land which is zoned M-3, M-2, M-1, C-3, C-5, or EC. All other appropriate provisions of this ordinance shall apply. The maximum area of each face of the sign shall not exceed 400 square feet.~~

~~1316 Exceptions to Sign Size Limitations:~~

~~.1 Calculating Sign Size: The structure supporting or appearing to support a free-standing sign shall not be included in the size of the sign.~~

~~.2 Design Factors: The size of a free-standing or ground-mounted identification sign may be increased above the requirements set forth in~~

SECTION 6. EMERGENCY.

This Ordinance being immediately necessary to maintain the public health, safety and welfare, an emergency is declared to exist and this ordinance shall take effect upon its adoption.

DATED this 12th day of June, 2002.

Approved as to Form

By: Sarah E. Tyson
Office of County Counsel

Recording Secretary

First Reading: 4-24-02
Second Reading: 6-12-02
Effective Date: 6-12-02

BOARD OF COUNTY COMMISSIONERS
FOR COLUMBIA COUNTY, OREGON

By: [Signature]
Chair

By: [Signature]
Commissioner

By: [Signature]
Commissioner

ATTACHMENT A

COLUMBIA COUNTY BOARD OF COMMISSIONERS STAFF REPORT

"Commercial/Industrial Sign Code Amendments" Zoning Ordinance Text Amendments April 11, 2002

FILE NUMBER: TA 01-02

APPLICANT: Columbia County Land Development Services
Initiated By Board of Commissioners

REQUEST: To Amend Section 1300 of the Columbia County Zoning Ordinance Relating to Commercial and Industrial Signs.

APPLICABLE CRITERIA:

Process Criteria: CCZO Section 1606, "Legislative Hearing:"; and Section 1611, "Notice of Legislative Hearing".

Substantive Criteria: CCZO Section 1607, "Consistency with the Comprehensive Plan:" CCCP Part IX Urbanization: Goal, Policy 1; Part X Economy: Goal 1, Policies 2, 9 and 10B.

BACKGROUND:

The Board of Commissioners initiated the subject amendments to the Sign Code in response to a petition and draft amendments submitted by the Scappoose CPAC. The CPAC cited concerns over large signs and flashing signs along the County's roadways which "are a distraction to drivers and a visual blight to our communities".

The Planning Commission held hearings on proposed amendments on December 4, 2000, December 18, 2000 and January 8, 2001 and recommended amendments which would prohibit free standing signs over 288 sq. ft; eliminate language regulating signs according to content; clarify how sign area is calculated; add a provision for regulating sign height on uneven terrain and incorporate state provisions on the continuation of legal non-conforming signs. The Planning Commission also recommended that staff, sign industry and CPACs work on additional needed amendments including but not limited to addressing the need for sign illumination standards and further investigation of a tradeoff to prohibiting new large signs over 200 square feet by allowing the existing signs to be moved and allowing the use of tri-vision signs.

The Staff presented the Planning Commission and CPAC drafts to the Board at work session on January 23, 2001. The Board directed staff to consult with stakeholders and redraft the amendments to address several

iciencies in the Planning Commission draft. In July 2001, Staff redrafted the amendments addressing issues needing further work by the Planning Commission and Board of Commissioners including: 1) Illumination standards, 2) Purging of content based language in the commercial/industrial sign code provisions, 3) Incorporation of State definition of "abandoned sign", 4) Basing freestanding sign size on building front footage on site and 6) Definition of sign area to include all surface including cutouts. The July 2000 draft was mailed out to a representative of the sign industry and the Scappoose CPAC and a meeting was held on July 24, 2001 to discuss comments and changes. Based on comments and issues raised, staff prepared an August draft with refinements including 1) Elimination of design review process for smaller signs (under 100 sq ft), 2) New sign setbacks not tied to building setbacks. 4) Allowing legal non-conforming signs over 200 square feet to be moved and use of tri-vision faces.

On August 28, 2001, a second Board briefing on the amendments was given. Further comments from stakeholders were incorporated into an October 2001 draft which was mailed to a large list of stakeholder including all CPACs, Chambers of Commerce, and all persons participating in Planning Commission hearings. Written staff responses to the comments on the October draft were prepared and the changes reflecting some of the comments were included in the current hearing draft. Changes to the October draft included 1) Removal of provision allowing legal non-conforming signs over 200 square feet to be moved and use of tri-vision faces and 2) Addition of a provision establishing a parcel sign area limit based on aggregate square footage of all sign types based on building frontage.

PRINCIPAL CHANGES PROPOSED IN THE AMENDMENTS:

Adopted the amendments would:

Prohibit New Commercial/Industrial Signs Over 200 Square Feet In Size

Cap the number of commercial/industrial signs over 200 square feet at existing levels and prohibit new commercial/industrial signs over 200 square feet. Provisions in previous drafts that would allow commercial/industrial signs over 200 square feet existing on the effective date of the amendments to be moved after review and allow the use of tri-vision signs was removed from this draft. This language was recommended by Clark Signs as a means to soften the effect of the cap on new commercial/industrial signs over 200 square feet. They indicated they would support a cap if these additional provisions were included, but would otherwise oppose the amendments if they were not.

b. Regulate Total Sign Area By Parcel Proportional To Building Frontage

Establish a total aggregate sign area per parcel for all types of signs based on building frontage and let the owner/tenant decide how to allocate the area to sign type (ie building mounted or freestanding) subject to a maximum single sign size of 200 sq. feet.

c. Remove Content Based Regulations for Commercial Signs

Eliminate all language which regulates commercial signs on the basis of sign content (ie on-premise/off premise etc) to meet constitutionality requirements. Amendments do not address residential sign regulations. No changes are proposed for residential sign regulations at this time.

d. New Sign Illumination Standards

Add sign illumination standards.

e. Reduce Processing Requirements for Smaller Signs Meeting Standards

Eliminate the requirement for signs under 100 square feet to go through Design Review.

FINDINGS:

1. Legislative Hearing Requirements

This request is being processed under Sections 1606 and 1611 of the Zoning Ordinance. The pertinent sections of the ordinance are as follows:

"1606 Legislative Hearing: Requests to amend the text of the Zoning Ordinance...are legislative hearings. Legislative hearings shall be conducted in accordance with the following procedures:

- .1 A legislative amendment to the Zoning Ordinance Text or Map may be initiated at the request of the Board of Commissioners, a majority of the Commission, or the Director, or any citizen of the County may petition the Commission for such a change."
- .2 Notice of a Legislative Hearing shall be published at least twice, 1 week apart in newspapers of general circulation in Columbia County. The last of these notices shall be published no less than 10 calendar days prior to the Legislative Hearing. The mailing of notice to individual property owners is not required but shall be done if ordered by the Board of Commissioners."

" 1611 Notice of Legislative Hearing: The notice of a legislative hearing shall contain the following items:

- .1 Date, time and place of the hearing;
- .2 A description of the area to be rezoned or the changes to the text;
- .3 Copies of the statement for the proposed changes are available in the Planning Department. These proposed changes may be amended at the public hearing;
- .4 Interested parties may appear and be heard;
- .5 Hearings will be held in accordance with the provisions of the Zoning Ordinance."

ORS 215.503(3),(5)&(9)-Legislative Act by Ordinance: mailed notice to individual property owners required by County for land use actions("Measure 56"):

- "(3) Except as provided in subsection (6) of this section and in addition to the notice required by ORS 215.060, at least 20 days but not more than 40 days before the date of the first hearing on an ordinance that proposes to amend an existing comprehensive plan or any element thereof or to adopt a new comprehensive plan, the governing body of a county shall cause written individual notice of land use change to be mailed to each owner whose property would have to be rezoned in order to comply with the amended or new comprehensive plan if the ordinance becomes effective."
- (5) Content requirements of mailed notice required by ORS 215.203(3).
- (9) For purposes of this section, property is rezoned when the governing body of the county:
 - (A) Changes the base zoning classification of the property; or
 - (B) Adopts or amends an ordinance in a manner that limits or prohibits land uses previously allowed in the affected zone."

FINDING 1: LEGISLATIVE HEARING REQUIREMENTS

PLANNING COMMISSION HEARING: A notice of hearing containing the content required by CCZO section 1611 was published in the Chronicle, Spotlight, and Longview Daily News on November 11, 2000 and

November 22, 2000, both dates of which are 10 days prior to the Planning Commission hearing date of December 4, 2000. The proposed amendments to the sign ordinance will limit or prohibit uses of property that are currently allowed ie prohibit commercial/industrial signs over 200 square feet in size. Therefore, pursuant to ORS 215.503(9), a measure 56 notice meeting the requirements of ORS 215.503(3)&(5) was sent to all owners of commercial and industrial properties as listed in the county assessment and taxation records as of October 19, 2000 which is at least 20 days and not more than 40 days prior to the first hearing on the proposed amendments held on December 4, 2000.

BOARD OF COMMISSIONERS HEARING: A notice of hearing containing the content required by CCZO Section 1611 was published in the Chronicle on April 3, 2002 and April 10, 2002, both dates being at least 10 days prior to the Board of Commissioners hearing date of April 24, 2002. A second measure 56 notice was sent to all owners of commercial and industrial properties as listed in the county assessment and taxation records for the Board of Commissioner's hearing on April 24, 2002.

2. Consistency with Applicable Goals and Policies of the Comprehensive Plan

The request must be found to be consistent with applicable goals and policies of the Columbia County Comprehensive Plan as follows:

Columbia County Zoning Ordinance:

"1607 Consistency with the Comprehensive Plan: All amendments to the Zoning Ordinance Text shall be consistent with the Comprehensive Plan Text and Maps.

Applicable Goals and Policies of the Comprehensive Plan are as follows:

a. Part IX Urbanization

Goal: "To create and maintain the urban growth boundaries based on the consideration of the following factors:

Policy 1: Provide an orderly and efficient transition from rural to urban use."

FINDING 2: URBANIZATION GOAL

Currently, commercial/industrial signs up to 400 sq. ft. in size are allowed in certain commercial and industrial zoning districts; Suburban Zoning Districts (applied within the unincorporated portions of Urban Growth Boundaries) including the M-3; M-2; M-1; C-3, and C-5 zoning districts and in one of the Rural Zoning Districts (outside of Urban Growth Boundaries) including the EC zone. The Suburban and Rural districts in which these large signs are currently allowed are in areas of transition from rural to urban uses. The Planning Commission (12/4/2000) heard testimony from Mike Sheehan, Scappoose CPAC that "...What's motivating this (*these sign amendments*) is the idea that in the rural areas of the county, the sign density and largeness of the signs shall be less than the commercial centers of the county. When you visit a commercial center, you expect to see more signs. The traffic is going slower....If you're out in the more bucolic areas of the county, then it seems to me that...if you want to have advertising for your roadside stand or something like that, that's one thing. But having lots of big billboards is in the wrong place... We have urban/rural dichotomy... and the visual clutter belongs in the cities." And continuing with his testimony on this issue at the Planning Commission meeting on 12/18/2002 Mr. Sheehan said "As you get more intense business development, that's typically in areas that are

within the foreseeable scope of being annexed in...If you want to do city-like things and your neighbors do to, and you're getting urbanized, then maybe that's the time to think about getting annexed. Then you come under the City's ordinance which allows more urbanized uses." The Planning Commission(12/18.2000) heard testimony from Daryl Boom from Scappoose that "...bigger is not better. Generally, signs are larger and brighter than they need to be to convey the information to the motoring public....The larger the signs.....more light pollution and more visual blight." Large signs, particularly those over 200 square feet in size, are large and visually imposing structures which are out of proportion and out of character with the development within these transition areas and therefore do not represent "an orderly and efficient transition from rural to urban use" as required by the Urbanization Goal . The proposed amendments would prohibit signs over 200 square feet and apply a constitutionally consistent size criterion to all signs based a base allowable square footage of 40 square feet with allowance for increases in total sign area on the parcel based on the front footage of the commercial or industrial buildings on a site.

a. Part X Economy

Goal 1: "To strengthen and diversify the economy of Columbia County and insure stable economic growth.

Policy 2: "Encourage a stable and diversified economy"

Policy 9: "Encourage the trade and service sectors and the recreation industry to insure greater revenue spending locally."

Policy 10: "Support improvements in local conditions in order to make the area attractive to private capital investment. Consideration of such factors as the following shall be undertaken:"
"B. Land use controls and ordinances."

FINDING 2: ECONOMY GOAL

In written testimony dated October 25, 2001, Steve Morasch, attorney for Clark Signs, asserts that "The October 1, 2002 draft is aimed a putting my client out of business." Dale Clark, owner of Clark Signs, submitted oral testimony at the Planning Commission meeting on December 4, 2000 provided contrary testimony, asserting that "As far as putting me out of business or something, I'm not worried about that. I am more worried about the business people of Columbia County...you could ban all signs in Columbia County and you're not going to hurt me that much. As a matter of fact, if you ban all these billboards, it will make my billboards worth more money than they are now." Mr. Clark continues by making the point that his signs are more affordable than billboards in other counties, in part because he splits lease area on his billboards.

In his testimony before the Planning Commission on January 8, 2001, Mr. Morasch, attorney for Clark Signs cited the Oregon Supreme Court's decision in City of Hillsboro v. Purcell, 306 Or 547, 761 P2d 510(1998) which found that banning door to door sales was an unconstitutional ban on an entire medium of communication. Mr. Morasch expresses his opinion that , the County's proposed prohibition of new signs over 200 square feet in size would be unconstitutional because such signs are themselves a distinct and separate medium for communication as in Purcell. He also notes that there are no cases, by any court, that has ruled a ban on "billboard" signs that it is an unconstitutional ban on a "distinct and separate medium for communication".

Testimony was presented before the Planning Commission by Dale Clark of Clark Signs that the current

ation on sign size of 40 square feet is too restrictive for some businesses. The proposed draft allows for substantial increases in sign size above 40 square feet based on building frontage.

Large signs over 200 square feet in size have not been shown to be a separate medium for commercial speech, only a larger, "louder" example of commercial speech which can be constitutionally limited by sign regulations addressing the maximum size of signs in the public interest. Further, as noted above, the proposed amendments actually substantially increase the size and readability of most signs over that allowed by the current County sign code by allowing increases over the current maximum freestanding sign size of 40 square feet based on the front footage of the buildings on the site.

Staff finds that the proposed amendments prohibiting new commercial/industrial signs over 200 square feet and allowing increases in sign area based on building front footage encourage a stable and diversified economy and the trade and service sectors consistent with Policies 2 and 9. The proposed amendments provide a constitutional limitation on sign size aimed at reducing the visual blight caused by signs over 200 square feet in size along rural and urbanizing sections of the County's roadways. Staff, therefore, finds the amendments support improvements to local conditions in order to make the area more attractive to private capital investments consistent with Economy Policy 10B.

COMMENTS:

In addition to oral comments received before the Planning Commission hearings on 12/4/2000, 12/18/2000 and 1/8/2001, thirty-three written comments were received as of the date of this staff report. The comments are listed included in Attachment 2.

ATTACHMENTS:

1. Planning Commission Final Order.
2. Written Comments Received as of April 11, 2002.
3. Proposed Sign Ordinance Amendments; Engrossed and "Clean" Copies.

CONCLUSION AND RECOMMENDATION:

Based upon the above findings, staff concludes that the proposed amendments are consistent with applicable criteria and recommends **approval** of the legislative amendment to the text of the Columbia County Zoning Ordinance contained in Attachment 3.